

Hoeven	Mullin	Sullivan
Hyde-Smith	Paul	Thune
Johnson	Ricketts	Tuberville
Lankford	Risch	Vance
Lee	Rubio	Wicker
Lummis	Schmitt	Young
Marshall	Scott (FL)	
Moran	Scott (SC)	

## NOT VOTING—4

Barrasso	Fetterman
Feinstein	Kelly

Manchin	Peters	Smith
Markey	Reed	Stabenow
McConnell	Romney	Tester
Menendez	Rosen	Van Hollen
Merkley	Rounds	Warner
Murkowski	Sanders	Warnock
Murphy	Schatz	Warren
Murray	Schumer	Welch
Ossoff	Shaheen	Whitehouse
Padilla	Sinema	Wyden

## NAYS—39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

## NOT VOTING—4

Barrasso	Fetterman
Feinstein	Kelly

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 57, the nays are 39.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:16 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

## EXECUTIVE CALENDAR—Continued

## NOMINATION OF ANDREW G. SCHOPLER

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Andrew Schopler, who has been nominated to the U.S. District Court for the Southern District of California.

Since 2016, Judge Schopler has served as a magistrate judge for the Southern District of California. To date, he has presided over five misdemeanor trials. Prior to his Federal judicial appointment, he served as a judge pro tem for 5 years on the San Diego Superior Court's Small Claims Court, where he presided over dozens of civil bench trials. Before joining the bench, Judge Schopler served the Southern District of California as an Assistant U.S. Attorney for 12 years, spending 4 years in the general crimes section, four in the criminal enterprise/narcotics enforcement section, and four in the major frauds and special prosecutions section, where he served as deputy chief. Judge Schopler began his legal career in North Carolina as an assistant public defender at the Orange and Chatham

County Public Defender's Office and in private practice. He tried approximately 55 cases to verdict or judgment and was sole counsel in 39. Since 2014, Judge Schopler has also served this country as a major in the U.S. Army, California Army National Guard. In 2018, he deployed to Afghanistan for 8 months.

Born in Chapel Hill, NC, Judge Schopler earned his J.D. cum laude from Harvard Law School in 1997 and his B.A. summa cum laude from Dartmouth College in 1994. Senators Feinstein and Padilla strongly support Judge Schopler's nomination. The American Bar Association has also unanimously rated him "well qualified" to serve on the Southern District of California.

I urge all of my colleagues to join me in supporting this highly qualified nominee.

## VOTE ON SCHOPLER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Schopler nomination?

Mr. PETERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 56, nays 39, as follows:

## [Rollcall Vote No. 43 Ex.]

## YEAS—56

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Rounds
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Van Hollen
Cornyn	Merkley	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Grassley	Peters	

## NAYS—39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

## [Rollcall Vote No. 42 Ex.]

## YEAS—57

Baldwin	Casey	Grassley
Bennet	Collins	Hassan
Blumenthal	Coons	Heinrich
Booker	Cornyn	Hickenlooper
Brown	Cortez Masto	Hirono
Cantwell	Duckworth	Kaine
Capito	Durbin	King
Cardin	Gillibrand	Klobuchar
Carper	Graham	Lujan

## NOT VOTING—5

Barrasso Fetterman Sanders  
Feinstein Kelly

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 43, Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Alex Padilla, Gary C. Peters, Angus S. King, Jr., Mazie Hirono, Tim Kaine, Brian Schatz, Cory A. Booker, Margaret Wood Hassan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 44 Ex.]

## YEAS—58

Baldwin	Grassley	Murray
Bennet	Hassan	Ossoff
Blumenthal	Heinrich	Padilla
Booker	Hickenlooper	Peters
Brown	Hirono	Reed
Cantwell	Kaine	Romney
Capito	Kennedy	Rosen
Cardin	King	Rounds
Carper	Klobuchar	Schatz
Casey	Lee	Schumer
Collins	Lujan	Shaheen
Coons	Manchin	Sinema
Cornyn	Markey	Smith
Cortez Masto	McConnell	Stabenow
Duckworth	Menendez	Tester
Durbin	Merkley	Van Hollen
Gillibrand	Murkowski	
Graham	Murphy	

Warner  
Warnock

Warren  
Welch

Whitehouse  
Wyden

## NAYS—37

Blackburn  
Boozman  
Braun  
Britt  
Budd  
Cassidy  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst  
Fischer

Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Johnson  
Lankford  
Lummis  
Marshall  
Moran  
Mullin  
Paul  
Ricketts  
Risch

Rubio  
Schmitt  
Scott (FL)  
Scott (SC)  
Sullivan  
Thune  
Tillis  
Tuberville  
Vance  
Wicker  
Young

## NOT VOTING—5

Barrasso Fetterman Sanders  
Feinstein Kelly

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 58, the nays are 37.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CRIME

Mr. CORNYN. Mr. President, communities across the country have paid the price of Democrats' soft-on-crime policies. The Democratic Party has backed woke prosecutors who refuse to enforce broad swaths of the Criminal Code. It has endorsed "defund the police" policies and candidates, and it has consistently shown more sympathy for the criminals who commit crimes than for the victims who were hurt by them.

It is no surprise that these decisions carry very dangerous consequences, which are being felt across America. Businesses are fleeing Portland, OR, due to surging crime. The mayor of Chicago was just defeated in her primary because she failed to address rampant crime in that city.

One city that is not immune to these consequences is our Nation's Capital, Washington, DC. So far this year, the District of Columbia has seen more than three dozen homicides—a nearly 40 percent increase compared to last year. Forty percent. Sex crimes have more than doubled compared to last year, and there have been more than 1,200 motor vehicle thefts, including carjackings, which is more than double the number at this point last year. In total, the Nation's Capital, where we are located, reported a 25-percent increase in crime compared to last year.

With crime on the rise, you would expect that the elected leaders of the DC City Council would take steps to improve public safety, but that is not what they did. In fact, council members took the exact opposite approach. Forget deterring criminal conduct; the

DC City Council responded to this crime wave by reducing penalties for violent crimes. It actually passed legislation that decreases punishment for many of the same crimes that have been on the rise over the last year—lower penalties for carjackings, home invasions, and robberies and lower penalties for convicted felons who illegally carry firearms and for felons who use guns to commit other crimes. There are no mandatory minimum sentences for any crime other than first-degree murder.

It is a slap in the face of every law-abiding resident and visitor to this city; every person who worries about getting carjacked on their way home from work, like the people who work for us here in the Nation's Capital; or being robbed on the Metro, like the visitors from our States who come to the Nation's Capital who don't expect to be assaulted and robbed; or individuals who have their residence targeted by a serial burglar.

This is not the kind of legislation that is meant to keep people safe; it is just the latest iteration of failed soft-on-crime policies. It is no surprise that DC's Criminal Code rewrite was met with severe backlash.

Even the Washington Post published an editorial entitled "DC's crime bill could make the city more dangerous." Well, I give them credit for stating the obvious.

The U.S. attorney for the District of Columbia warned that this measure prevents courts from imposing penalties that appropriately reflect the seriousness of the offense and the defendant's criminal history.

One local elected official used especially harsh words to describe a portion of the bill that would allow someone convicted of sexual assault to petition for early release after 20 years. She said:

I don't think the DC Council should be helping rapists get out of prison early. That's crazy.

Crazy indeed—so crazy, in fact, that the city's liberal Mayor, Muriel Bowser, even vetoed this measure when it reached her desk, saying it "does not make us safer."

I don't find myself agreeing with the Washington Post editorial board or the Mayor of the District of Columbia often, but they are both right here.

DC Council members should have viewed her veto and the public outrage as a sign that they should go back to the drawing board, but unfortunately they doubled down. DC City Council overrode the Mayor's veto. They ignored the deep concerns of citizens of this city and the dire warnings from public safety advocates and plowed ahead.

Fortunately, that is not the end of the road for this dangerous and deeply misguided bill. The Constitution of the United States gives Congress exclusive legislative jurisdiction over the District of Columbia. It is a Federal district. We must take action to prevent